

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

SHARON D. DUNCAN, #148434,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO. 1:09cv416-TMH
	)	
CYNTHIA WHEELER-WHITE, et al.,	)	
	)	
Respondents.	)	

**ORDER AND OPINION**

On August 26, 2009, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 14). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that the petition for habeas corpus relief filed by Sharon Duncan is DISMISSED without prejudice to afford Petitioner an opportunity to exhaust all available state court remedies.

Done this the 22nd day of September, 2009.

/s/ Truman M. Hobbs

---

SENIOR UNITED STATES DISTRICT JUDGE